

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.12642 of 2005

Dated: 11.07.2006

Between:

K. Shyam Sunder Reddy, S/o Ramchandra Reddy, Work Inspector, A.P.
State Housing Corporation Limited, Malakondur Mandal, Karimnagar
District.

.... PETITIONER

AND

The Government of A.P. rep. by its Principal Secretary, Housing
Department, Secretariat, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.12642 of 2005

Order:

Questioning the proceedings dated 31.05.2005 issued by the 2nd respondent, namely the Managing Director, A.P. State Housing Corporation Limited, Urdu Gally, Himayatnagar, Hyderabad, placing the petitioner under suspension pending disciplinary proceedings, the petitioner filed the present writ petition.

The learned counsel for the petitioner submitted that the 2nd respondent on an earlier occasion, made enquiries into the allegations made by local politicians, and found that the allegations are baseless and unfounded. However, the 2nd respondent, curiously without application of mind, on the directions of the Government, issued in their letter dated 12.05.2005, by reason of the impugned order dated 31.05.2005 placed the petitioner under suspension pending enquiry into the self-same charges, which he earlier found to be unfounded and baseless. He, thus, prays to allow the writ petition and set aside the impugned proceedings.

A counter affidavit was filed on behalf of respondent Nos.1 and 2 denying the allegations made by the petitioner. However, in last paragraph of the counter affidavit, it is stated as follows.

“It is submitted that the petitioner submitted a representation to the respondent-Corporation stating that he has not misappropriated any Government funds and therefore requested to reinstate him into service. The respondent-Corporation forwarded the same to the 1st respondent by Lr. No. Vig(2)/5875/KRMR/2003, dated 29.07.2005 and requested to consider the reinstatement of the petitioner into service pending enquiry keeping in view the past service rendered by him. The 1st respondent is yet to pass orders on the matter.”

In view of the aforesaid recommendations made by the respondent-Corporation on the representation of the petitioner, which was forwarded to the 1st respondent on 29.07.2005 requesting him to consider the reinstatement of the petitioner into service pending enquiry, and having regard to the fact that the same is pending consideration before the 1st respondent, instead of keeping the writ petition pending, I deem it appropriate to dispose of the writ petition with the following directions:

The 1st respondent-Government is directed to consider and pass appropriate orders on the recommendations, forwarded by the respondents-Corporation for revocation of the suspension of the petitioner pending enquiry, in accordance with law, expeditiously.

Accordingly, the writ petition is disposed of. No costs.

N.V. RAMANA, J.

Date: 11.07.2006

Nsr/Ksr